IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTIETH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and
THE HON'BLE Mr. JUSTICE C.V.RAMULU

WRIT PETITION NO : 7344 of 2004

Between:

Democratic Teacher's Federation, (Regd.No.2910/2000) Guntur Dist.

Unit, Guntur, represented by its General Secretary

S.Lakshma Reddy, S/o Late S.Koti Reddy

Aged about 61 years, Occ: Retd. Teacher
R/o.D.No.11-843/A, Munuswamy Nagar,
Guntur - 522034, A.P.

..... PETITIONER

AND

1 Govt. of A.P.rep.by its Prl. Secretary, School Education, Secretariat, Secretariat Buildings, Hyderabad.
2 The Commissioner & Director of School Education, A.P.Saifabad, Hyderabad.
3 The Dist. Educational Officer, Guntur Dist.
4 B.Chittaranjan Das, S/o.Late B.Krishnamurthy, President, Batraju Krishnamurthy Memorial Educational Society, 1/6, Harsha Apartments, Arundalpet, Guntur.
5 B.Nirmaladevi, W/o.B.Chittaranjandas,
Correspondent (Under Supspenction), (Chenchu Aided Upper Primary School), 1/6, Harsha Apartments, Arundalpet, Guntur.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate writ, order or directions more particularly one in the nature of writ of Mandamus declaring the G.O. Rt.No.392, School Education (P.S.1) Department dated 1-04-2004, of 1st respondent being illegal, arbitrary and violation of Art. 14 and 19(1) (g) of the Constitution of India apart from being violative of the Principles of Natural Justice and consequently direct the Respondents to appoint special officer for the school.

Counsel for the Petitioner: SMT.P.REVATHI

Counsel for the Respondents:GP FOR SCHOOL EDUCATION

for Respondents 1 to 3.

None for RR 4&5.

The Court made the following :

ORAL ORDER:

(per The Honourable Sri Devinder Gupta, the Chief Justice)

This Writ Petition has been filed by the Democratic Teachers' Federation, represented by its General Secretary. Petitioner claims to be a body registered under the Andhra Pradesh Societies Act and functioning for the welfare of the teachers and for the smooth running of the institutions. Petitioner is questioning the action of the respondents in having issued G.O.Rt.No.392, School Education (PS-I) Department, dated: 1.4.2004 appointing respondent No.4 as the Correspondent of Chenchu Aided Upper Primary School, Guntur, thereby, withdrawing the Special Officer from the School.

In the Writ Petition neither the Chenchu Aided Upper Primary School nor its management had been impleaded as partied. Petitioner stated that since the petitioner is looking after the interests of the teachers, it has pointed out to the Government of Andhra Pradesh the illegality in issuing the impugned G.O., and, it is stated that pursuant to the representation dated: 14.6.2004, the Commissioner and Director of School Education has already ordered enquiry to be carried out against

the affairs of the school. May be that pursuant to the petitioner's representation, enquiry was taken up, but, that will not give any locus standie to the petitioner to file this Writ Petition to question the G.O. appointing Correspondent to the School, and, thereby, withdrawing Special Officer from the said School. The Writ Petition, therefore, is dismissed. No costs.

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DEVINDER GUPTA, C.J.

20.7.2004.

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C.V.RAMULU, J.

VR.

To

1. The Principal Secretrary to Govt. of A.P.,School Education, Secretariat, Secretariat Buildings, Hyderabad.
2. The Commissioner & Director of School Education, A.P.Saifabad, Hyderabad.
3.The Dist. Educational Officer, Guntur Dist., Guntur.

4. Two CCs to Govt. Pleader for School Education, High Court Bldgs., Hyderabad. (OUT)

5. Two CD copies.